

State Water Resources Control Board

January 22, 2019

System No. 1710014

Alan Farr, Operations Manager
Mt. Konocti Mutual Water Company
9733 State Highway 281
Kelseyville, CA 95451

CITATION NO. 02_03_19C_001
DISINFECTION BYPRODUCTS - MAXIMUM CONTAMINANT LEVEL VIOLATION
FOR THE FOURTH QUARTER 2018

Enclosed is Citation No. 02_03_19C_001 (hereinafter Citation) issued to the Mt. Konocti Mutual Water Company (hereinafter System) by the State Water Resources Control Board, Division of Drinking Water (hereinafter Division) for the failure to comply with the maximum contaminant level for disinfection byproducts (hereinafter DBPs) during the fourth calendar quarter of 2018. Please note that there are legally enforceable deadlines associated with this Citation.

The System will be billed at the State Water Resources Control Board's (hereinafter State Water Board) hourly rate for the time spent on issuing this Citation. California Health and Safety Code (hereinafter CHSC), Section 116577, provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including but not limited to preparing, issuing, and monitoring compliance with a citation. At this time, the State Water Board has spent approximately two hours on enforcement activities associated with this violation. The System will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the System for the current fiscal year.

Any person who is aggrieved by a citation, order, or decision issued under authority delegated to an officer or employee of the State Water Board under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4) may file a petition with the State Water Board for reconsideration of the citation, order, or decision (CHSC, Section 116701).

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order, or decision by the officer or employee of the State Water Board. The date of issuance is the date when the Division mails a copy of the citation, order, or

decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m. Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions regarding this matter, please contact Lori Hanson of my staff at (707) 576-2604.

Sincerely,



Sheri K. Miller, P.E.
Mendocino District Engineer
Division of Drinking Water
State Water Resources Control Board

Enclosures

cc: Guy Schott, Division of Drinking Water (via email)
Lake County Environmental Health

Keith Wesselhoff
9733 State Highway 281
Kelseyville, CA 95451

STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: Mt. Konocti Mutual Water Company

Water System Number: 1710014

To: Mt. Konocti Mutual Water Company
9733 State Highway 281
Kelseyville, CA 95451

Attn: Alan Farr, Operations Manager

Issued: January 22, 2019

**CITATION FOR NONCOMPLIANCE WITH CALIFORNIA HEALTH AND SAFETY
CODE, SECTION 116555(a)(1) AND SECTION 64533, TITLE 22, OF THE
CALIFORNIA CODE OF REGULATIONS**

Maximum Contaminant Level – Disinfection Byproducts

Fourth Calendar Quarter 2018

The California Health and Safety Code (hereinafter CHSC), Section 116650 authorizes the State Water Resources Control Board (hereinafter State Water Board), to issue a citation to a public water system when the State Water Board determines

1 that the public water system has violated or is violating the California Safe Drinking
2 Water Act (hereinafter California SDWA), (CHSC, Division 104, Part 12, Chapter 4,
3 commencing with Section 116270), or any regulation, standard, permit, or order
4 issued or adopted thereunder.

5
6 The State Water Board, acting by and through its Division of Drinking Water
7 (hereinafter Division), and the Deputy Director for the Division, hereby issues Citation
8 No. 02_03_19C_001 (hereinafter Citation), pursuant to Section 116650 of the CHSC
9 to the Mt. Konocti Mutual Water Company (hereinafter System), for violation of
10 Section 116555(a)(1) of the CHSC, and violation of Section 64533, Title 22, of the
11 California Code of Regulations (hereinafter CCR). Section 64533 states that the
12 primary maximum contaminant levels (MCLs) for disinfection byproducts (DBPs) shall
13 not be exceeded in drinking water supplied to the public.

14 15 **STATEMENT OF FACTS**

16 The Mt. Konocti Mutual Water Company is classified as a community water system
17 serving approximately 1567 connections with an estimated population of 3150. The
18 System operates under Domestic Water Supply Permit No. 02-03-16P1710014
19 issued by the State Water Board on December 5, 2016.

20
21 CHSC, Section 116555(a)(1) requires all public water systems to comply with primary
22 drinking water standards as defined in CHSC, Section 116275(c). Primary drinking
23 water standards include maximum levels of contaminants and the monitoring and
24 reporting requirements as specified in regulations adopted by the State Water Board
25 that pertain to MCLs.

Section 64533, Title 22, of the CCR, requires that the primary MCLs for DBPs shall not be exceeded in drinking water supplied to the public. Haloacetic acids (HAA5) is one type of DBP found in certain drinking water. The maximum contaminant level for HAA5 is 60 ug/L.

Pursuant to Title 22, CCR, Section 64534.2, the System is required to collect one distribution system sample per quarter from the sampling site designated with PS code 1710014-004, for HAA5 analysis, in accordance with its approved January 12, 2012 Stage 2 DBP Monitoring Plan. Under Title 22, CCR, Section 64535.2(b)(1), compliance with the HAA5 MCL of 60 ug/L is based on a running annual average, calculated quarterly, for each monitoring location.

The Division received the following laboratory results for quarterly HAA5 samples collected in the Mt. Konocti Mutual Water Company (see table below). The samples were collected between January 8, 2018 and October 29, 2018 at the sampling site designated with PS Code 1710014-004.

Sample Date	Calendar Quarter	Laboratory Result	Running Annual Average
January 8, 2018	1	56.2 ug/L	--
April 9, 2018	2	56.3 ug/L	--
July 9, 2018	3	74.9 ug/L	--
October 29, 2018	4	72.1 ug/L	64.9 ug/L

The running annual average HAA5 concentration for the fourth quarter of 2018 is 64.9 ug/L for PS Code 1710014-004.

DETERMINATIONS

The Division has determined that the Mt. Konocti Mutual Water Company violated Section 64533, Title 22, of the CCR. The System failed to comply with the MCL for HAA5 in the fourth quarter of 2018. For a public water system monitoring HAA5 on a quarterly basis, each locational running annual average (LRAA), computed quarterly, shall not exceed the MCL of 60 ug/L.

DIRECTIVES

The Mt. Konocti Mutual Water Company is hereby directed to take the following actions:

1. The System shall cease and desist from violating Section 116555(a)(1), of the CHSC, and Section 64533, Title 22, of the CCR.
2. **On or before February 14, 2019**, notify all persons served by the System of the HAA5 maximum contaminant level violation, in conformance with Section 64463.4 and Section 64465, Title 22 of the CCR. The Public Notification form contained in Appendix 1 of this citation must be used to fulfill this directive of notifying the public. **The contacts section and the corrective actions section shall be completed prior to distribution to the customers.**
3. A **second method of notification** must also be chosen to reach persons unlikely to be reached by mail or direct delivery. The System can choose publication in a local newspaper, delivery to community organizations, posting in conspicuous locations in the area served by the System, or posting on the internet. If posting is chosen, it must continue for seven (7) days. This secondary notice must also be completed by **February 14, 2019**.

1
2 4. The System shall complete Appendix 2: Compliance Certification. Submit
3 Appendix 2, together with copies of **proof of the two methods of public**
4 **notification** to the Division **on or before February 21, 2019.**

5
6 5. The public notification and Certification of Compliance requirements listed in the
7 directives above shall be performed quarterly until the System is no longer in
8 violation of a disinfection byproduct maximum contaminant level. **Future**
9 **quarterly public notifications must include the most recent data available**
10 **and must be approved by the Division prior to distribution to the System's**
11 **customers.** The public notice shall be distributed within 30 days of receiving
12 laboratory results. After distribution of the approved notice to all customers, a
13 copy of that public notice shall be submitted to the Division within 10 days of
14 distribution.

15
16 6. The System shall complete and submit an Operational Evaluation Reporting Form
17 by **February 21, 2019.** The form shall describe the potential factors that
18 contributed to the formation of the disinfection byproducts. The System shall
19 include a compliance plan that describes the actions taken by the System to
20 minimize the production of disinfection byproducts, a timeline for compliance and
21 the monitoring frequency of various water quality parameters to determine if the
22 action is adequate to minimize the formation of disinfection byproducts.
23 Operational Evaluation Reporting (OEL) forms are found on the Division of
24 Drinking Water, Mendocino District website at:

25 https://www.waterboards.ca.gov/drinking_water/programs/districts/mendocino_district.html
26

1 All documents required by this Citation shall be submitted to the Division at
2 dwpdist03@waterboards.ca.gov or mailed to:

3 Division of Drinking Water - Mendocino District
4 State Water Resources Control Board
5 50 D Street, Suite 200, Santa Rosa, CA 95404
6

7 The State Water Board reserves the right to make modifications to this Citation as it
8 may deem necessary to protect public health and safety. Such modifications may be
9 issued as amendments to this Citation and shall be effective upon issuance.
10

11 Nothing in this Citation relieves the Mt. Konocti Mutual Water Company of its
12 obligation to meet the requirements of the California SDWA (CHSC, Division 104,
13 Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard,
14 permit or order issued or adopted thereunder.
15

16 **PARTIES BOUND**

17 This Citation shall apply to and be binding upon the Mt. Konocti Mutual Water
18 Company, its owners, shareholders, officers, directors, agents, employees,
19 contractors, successors, and assignees.
20

21 **SEVERABILITY**

22 The directives of this Citation are severable, and the Mt. Konocti Mutual Water
23 Company shall comply with each and every provision thereof notwithstanding the
24 effectiveness of any provision.
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Certified Mail No. 7016 0910 0001 2050 1157

1. Public Notification Template
2. Compliance Certification Form



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IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este aviso contiene información muy importante sobre su agua potable, por favor lea el aviso en español si va aquí incluido. Si el aviso en español no va incluido aquí, contacte al sistema de agua para pedir una copia.

Mt. Konocti Mutual Water Company had levels of Haloacetic Acids Above Drinking Water Standards in 2018

Our water system recently failed a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

What happened?

We routinely monitor for the presence of drinking water contaminants. Testing results from samples collected in the fourth quarter of 2018 show that our system exceeds the standard, or maximum contaminant level (MCL), for Haloacetic Acids. The MCL for Haloacetic Acids is 60 ug/L. The testing results in 2018 ranged from 56.2 ug/L to 74.9 ug/L. The average level of Haloacetic Acids over the last year was **64.9 ug/L**.

What should I do?

- **You do not need to use an alternative (e.g. , bottled) water supply.**
- This is not an immediate risk. If it had been, you would have been notified immediately. However, *some people who drink water containing halocetic acids in excess of the MCL over many years may have an increased risk of getting cancer.*
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What is being done to correct the situation?

We anticipate resolving the problem within _____

For more information, please contact _____ at phone number _____
or at the following mailing address:

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- SCHOOLS: Must notify school employees, students, and parents (if the students are minors).
- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located within the area served by the water system.

This notice is being sent to you by the Mt. Konocti Mutual Water Company.

State Water System ID#: **1710014**

Date distributed: _____

APPENDIX 2 - COMPLIANCE CERTIFICATION

Citation Number: 02_03_19C_001

Name of Water System: **Mt. Konocti Mutual Water Company**

System Number: 1710014

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the violation of Title 22, California Code of Regulations. In addition, I certify that the Mt. Konocti Mutual Water Company complied with the directives of this citation as indicated below:

Required Action	Date Completed
Public Notification – First Method (REQUIRED) <input type="checkbox"/> Complete Appendix 1 as required in Directive 2 , on page 4 of this citation. Then deliver completed notice to each customer of the water system using mail or direct delivery (attach copy of notice used for delivery).	<div></div>
Public Notification – Second Method <u>Choose one of the following:</u> <input type="checkbox"/> Publication in a local newspaper or newsletter (attach copy of published notice in newspaper); OR <input type="checkbox"/> Post copies of the notice in conspicuous locations for seven days (attach photos of posted notices, specify locations and dates of posting); OR <input type="checkbox"/> Post notice on the Internet or intranet (provide website address and attach printout of notice on website)	<div></div>

Signature of Water System Representative

Date

**THIS FORM MUST BE COMPLETED AND RETURNED WITH ATTACHMENTS TO THE DIVISION
NO LATER THAN February 21, 2019**

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.